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*Of Attorneys for Defendants West Linn Paper Company and  
Belgravia Pulp Holdings, Inc.*

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

**COLUMBIA RIVER CARBONATES**, a  
Washington Corporation,

Plaintiff,

v.

**WEST LINN PAPER COMPANY**, an Oregon  
corporation; and **BELGRAVIA PULP  
HOLDINGS, INC.**, a Delaware Corporation;  
and **DOE DEFENDANTS**,

Defendants.

Case No.

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1332, 1441 and  
1446

(Clackamas County Circuit Court Case No.  
22CV39785)

TO: The Judges and Clerk of the United States District Court for the District of Oregon

Pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, Defendants West Linn Paper Company (“WLPC”) and Belgravia Pulp Holdings, Inc. (“BPH”) hereby file this Notice of Removal of a civil action, removing the above-captioned action from the Circuit Court of the State of Oregon for the County of Clackamas, in which it is pending, to the United States District Court for the District of Oregon. In support of removal, Defendants state as follows:

**NOTICE OF REMOVAL IS TIMELY**

1. On November 22, 2022, Plaintiff Columbia River Carbonates (“Plaintiff”) initiated this action by filing a complaint in the Circuit Court of the State of Oregon for the County of Clackamas, docketed as Case No. 22CV39785 (the “State Court Action”). The Complaint names WLPC and BPH as defendants. (Exhibit 1).

2. This Notice of Removal is timely filed under 28 U.S.C. § 1446 because WLPC and BPH were served on January 27, 2023. (Exhibit 2).

3. No previous requests have been made for the relief requested.

4. This is a civil action over which this Court has original jurisdiction based on diversity of citizenship, pursuant to 28 U.S.C. § 1332, and due to the amount of controversy.

5. At all material times, Plaintiff was a Washington corporation with its principal place of business in the state of Washington.

6. Defendant WLPC is an Oregon corporation with its principal place of business in New York.

7. Defendant BPH is a Delaware corporation with its principal place of business in Vancouver, British Columbia, Canada.

8. Plaintiff’s Complaint alleges a prayer for relief in the amount of \$1,256,282.59. (Exhibit 1). Therefore, the amount of controversy requirement, as set forth in 28 U.S.C. § 1332, is satisfied.

9. Based on the foregoing, this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332.

**REMOVAL TO THIS DISTRICT IS PROPER**

10. Pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, removal of the above-captioned State Court Action to this Court is appropriate.

11. Pursuant to 28 U.S.C. §§ 1441(a) and 1446(b), removal to this Court is appropriate as the district and division embracing the place where the State Court Action is pending.

12. Defendants will promptly serve Plaintiff with this Notice of Removal, informing Plaintiff that this matter has been removed to this Court. Defendants will also promptly file a copy of this Notice of Removal with the Circuit Court for the State of Oregon for the County of Clackamas, where the action is pending.

13. By removing this action, Defendants do not waive any objections or defenses, and Defendants specifically reserve all such objections or defenses that they may have to this action.

DATED this 24th day of February, 2023.

WILDWOOD LAW GROUP LLC

By /s/ Nicholas A. Kampars  
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*Of Attorneys for Defendants West Linn Paper Company  
and Belgravia Pulp Holdings, Inc.*

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS

COLUMBIA RIVER CARBONATES, a  
Washington Corporation,

Plaintiff,

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Corporation; and DOE DEFENDANTS,

Defendants.

Case No. \_\_\_\_\_

COMPLAINT  
(Fraudulent Transfer)

PRAYER: \$1,256,282.59

NOT SUBJECT TO  
MANDATORY  
ARBITRATION

Fee Authority: ORS 21.160(d)

Plaintiff alleges:

1.

In 2017, defendant West Linn Paper Company incurred a contractual obligation to Columbia River Carbonates. West Linn became insolvent in late 2017 and never paid the contractual obligation owed to Columbia River Carbonates.

2.

In December of 2018, West Linn and Columbia River Carbonates settled a claim made by West Linn against Columbia River Carbonates. West Linn received more for settlement of its claim than the amount of the contractual obligation owed to Columbia River Carbonates. Instead of paying the contractual obligation owed to Columbia River Carbonates, on information and belief, West Linn transferred the amount it received in settlement to defendant Belgravia Pulp

PAGE 1 – COMPLAINT

1 Holdings and/or one or more of the Doe Defendants (Belgravia Pulp Holdings and the Doe  
2 Defendants are collectively referred to as the “other defendants”) sometime in late 2018 or early  
3 2019.

4 3.

5 On or about July 18, 2022, the Circuit Court for the County of Clackamas granted  
6 summary judgment for Columbia River Carbonates against West Linn on the contractual  
7 obligation.

8 FIRST CLAIM FOR RELIEF  
9 (FRAUDULENT TRANSFER)

10 4.

11 Plaintiff’s claim against defendant West Linn was in existence at the time of the transfer  
12 of from West Linn to the other defendant(s) alleged above in paragraph 2.

13 5.

14 The amount transferred exceeded the amount owed to plaintiff.

15 6.

16 The transfer by West Linn to the other defendants was for less than reasonably equivalent  
17 value as, on information and belief the transfer was for no money or very little money.

18 7.

19 At the time of the transfer by West Linn to other defendants, West Linn was either  
20 insolvent or rendered insolvent by making the transfer.

21 ///

22  
23 ///

24  
25 ///

SECOND CLAIM FOR RELIEF  
FRAUDULENT TRANSFER

8.

Plaintiff realleges paragraphs 2 through 7 of its complaint.

9.

The transfer of settlement proceeds by defendant West Linn to the other defendants was made with actual intent to hinder, delay, or defraud plaintiff.

10.

The other defendants were aware of their transferor's intent to hinder, delay, or defraud plaintiff.

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WHEREFORE, plaintiff prays for a judgment of this court:

(a) Declaring the transfer of settlement proceeds by defendant West Linn to the other defendants to be void;

(b) Granting an injunction against any transfer of the property by the other defendants during the pendency of this action;

(c) Granting judgment against the other defendants for the amount due on plaintiff's contractual obligation to plaintiff;

(d) For plaintiff's costs and disbursements incurred herein; and

1 (e) For such other and further relief as the court may deem just and equitable.

2 DATED: November 22, 2022.

3  
4 THE LAW OFFICE OF ROBERT B. COLEMAN, LLC

5  
6 s/ Robert B. Coleman

7 ROBERT B. COLEMAN, OSB No. 001554

8 Attorney for Columbia River Carbonates

9 Law Office of Robert B. Coleman

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS

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Defendants.

Case No. 22CV39785

Defendants West Linn Paper Company and Belgravia Pulp Holdings, Inc., by and  
through their attorney, Nicholas Kampars, without waiving any defense except service of  
process, hereby accept service of process of the complaint and summons in this matter, effective  
this 27th day of January, 2023.



Nicholas A. Kampars, OSB No. 063870

*Attorney for Defendants West Linn Paper Company  
and Belgravia Pulp Holdings, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that I served I served a true copy of the foregoing **NOTICE OF REMOVAL** on:

Robert B. Coleman  
Law Office of Robert B. Coleman  
3519 NE 15<sup>th</sup> Avenue, Suite 367  
Portland, Oregon 97212

[rob@colemanconstrucionlaw.com](mailto:rob@colemanconstrucionlaw.com)

Attorney for Plaintiff

☒ by mailing a copy thereof in a sealed, first-class postage prepaid envelope, addressed to said attorney's last-known address and deposited in the U.S. mail at Portland, Oregon on the date set forth below;

☒ by emailing a copy thereof to said attorney at the last-known email address as set forth above.

☐ by transmitting full, true and correct copies thereof to the attorneys through the Court's ECF system on the date set forth below.

Dated this 24<sup>th</sup> day of February, 2023.

WILDWOOD LAW GROUP LLC

By: s/ Nicholas A. Kampars  
Nicholas A. Kampars, OSB #063870